

IN THE DRAWINGS

The attached sheet of drawing includes changes to Figure 1. This sheet replaces the original sheet including Figure 1. In Figure 1, previously omitted display has been added.

Attachment: Replacement Sheet
Annotated Sheet Showing Change

REMARKS/ARGUMENTS

Reconsideration and withdrawal of the rejections of the application are respectfully requested in view of the amendments and remarks herewith, which place the application into condition for allowance. The present amendment is being made to facilitate prosecution of the application.

I. STATUS OF THE CLAIMS AND FORMAL MATTERS

Claims 1-11 are pending in this application. Claims 1 and 9-11 are independent. Claims 1, 2 and 7-11 are hereby amended. No new matter has been introduced by this amendment. Changes to claims are not made for the purpose of patentability within the meaning of 35 U.S.C. §101, §102, §103, or §112. Rather, these changes are made simply for clarification and to round out the scope of protection to which Applicant is entitled. Applicant submits herewith a replacement figure 1 that includes a display 14.

Claims 2 and 9 were objected to as being of improper dependent form. Claims 2 and 9 have been amended, thereby obviating the objection.

II. REJECTIONS UNDER 35 U.S.C. § 112

Claims 1-8, 10 and 11 were rejected under 35 U.S.C. § 112, second paragraph as allegedly indefinite. Claims 1, 2, and 7-11 have been amended, thereby obviating the rejection.

III. REJECTIONS UNDER 35 U.S.C. §102(e)

Claims 1-4 and 7-9 were rejected under 35 U.S.C. 102(e) as allegedly anticipated by U.S. Patent No. 6,529,878 to DeRafael, et al. (hereinafter, merely "DeRafael").

IV. REJECTIONS UNDER 35 U.S.C. §103(a)

Claim 5 was rejected under 35 U.S.C. § 103(a) as allegedly unpatentable over DeRafael in view of Video Week (article, Video Notes).

Claim 6 was rejected under 35 U.S.C. § 103(a) as allegedly unpatentable over DeRafael in view of U.S. Patent No. 5,400,248 to Chisholm (hereinafter, merely “Chisholm”).

Claims 10 and 11 were rejected under 35 U.S.C. § 103(a) as allegedly unpatentable over DeRafael.

V. RESPONSE TO REJECTIONS

Independent claim 1, recites, *inter alia*:

“a contents market research apparatus comprising:

...poll result counting means for discriminately counting said contents polling information entered by a predetermined pollee and said contents polling information entered by a general pollee; and

...wherein if personal information is included in the contents polling information, the personal information is counted in addition to ballots of each picture content and a marketable field of the picture content is specified based on the counted result of the personal information;” (emphasis added)

As understood by Applicant, DeRafael relates to a system and method for compensating users for responding to advertisements in an interactive manner which poses questions for users and dynamically generates further questions in response to users' answers to previous questions.

Applicant respectfully submits that DeRafael fails to teach or suggest the above-identified features of claim 1. Indeed, Applicant submits that nothing has been found in DeRafael that would teach or suggest that if personal information is included in the contents

polling information, the personal information is counted in addition to ballots of each picture content and a marketable field of the picture content is specified based on the counted result of the personal information, as recited in claim 1.

Thus, Applicant respectfully request that the rejection of claim 1 be withdrawn.

For reasons similar to, or somewhat similar to, those described above with regard to independent claim 1, independent claims 9, 10 and 11 are also believed to be patentable.

VI. DEPENDENT CLAIMS

The other claims in this application are each dependent from one or another of the independent claims discussed above and are therefore believed patentable for the same reasons. Since each dependent claim is also deemed to define an additional aspect of the invention, however, the individual reconsideration of the patentability of each on its own merits is respectfully requested.

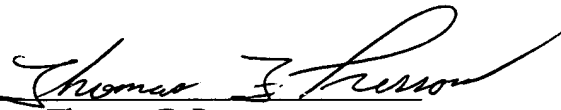
CONCLUSION

In the event the Examiner disagrees with any of statements appearing above with respect to the disclosures in the cited reference, it is respectfully requested that the Examiner specifically indicate those portions of the reference providing the basis for a contrary view.

Please charge any additional fees that may be needed, and credit any overpayment, to our Deposit Account No. 50-0320.

In view of the foregoing amendments and remarks, it is believed that all of the claims in this application are patentable and Applicant respectfully requests early passage to issue of the present application.

Respectfully submitted,
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FIG.1

